

09/996,421

**REMARKS**

Applicant wishes to thank the Examiner for the attention accorded to the instant application.

Claims 1-2 remain pending in the application.

**I. Claim Rejections – 35 U.S.C. §102(e)**

The Examiner has rejected claims 1-2 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,590,573 to Geshwind ("Geshwind") in view of U.S. Patent No. 5,719,598 to Latham ("Latham").

Referring to claim 1, the Examiner states that Geshwind discloses a method of stereoscopic image processing on a networked computer system comprising loading a first image and a second image and color matching said images and stereoscopically aligning the first and second images. The Examiner admits that Geshwind does not disclose aligning recursively through a loop. However, the Examiner argues that Latham discloses performing antialiasing recursively to conserve time and bandwidth. The Examiner states that it would have been obvious at the time the invention was made to align recursively through a control loop. The Examiner states that the motivation to combine the references would have been that repetitive tasking is one of the features of digital processing.

Referring to claim 2, the Examiner states that Geshwind discloses a stereoscopic metamorphosis process for converting one image into a stereoscopic image comprising retrieving and loading the 2D image, displaying the 2D image as a 3D image, applying crosstalk reduction algorithms and displaying the 3D image. The Examiner admits that Geshwind fails to disclose selecting and applying a depth metamorphosis processor

09/996,421

iteratively. The Examiner states that Latham discloses performing antialiasing recursively to conserve time and bandwidth. The Examiner states that it would have been obvious at the time the invention was made to select and apply a depth metamorphosis processor iteratively because repetitive tasking is one of the features of digital processing.

Applicants have amended claims 1 and 2 to more particularly point out and distinctly claim the features of the invention. In particular, claim 1 has been amended to recite the additional step of "reducing crosstalk between said stereoscopically aligned images." Claim 2 has been amended to recite that the 3D image is "composed of a depth map processed by iterative depth metamorphosis."

The invention, as recited in the claims, is directed to stereoscopic image processing on a computer system. Importantly, one of the important steps in producing a stereoscopic image is to align the two 2D images by selecting a zero parallax point and adjusting the registration points of the images recursively by adjusting the points until a proper stereoscopic image is formed. Additionally, the claims recite reducing the crosstalk between the stereoscopically aligned images. The invention additionally includes a stereoscopic metamorphosis process for converting an image into a stereoscopic image by selecting and applying a depth metamorphosis processor iteratively.

In contrast, Geshwind is directed to a computer system for creating three dimensional image information without any recursive or iterative steps. Geshwind discloses a stereo alignment feature (see Column 7 line 44 to Column 12 line 24) which consists of a zero parallax point offset. There is no teaching or suggestion in Geshwind to reduce crosstalk between the stereo aligned images. A small mention of crosstalk in Geshwind (see Column 22, lines 11-24) is directed to "crosstalk" between physical

09/996,421

barriers at the viewer's eyes. The crosstalk in the present invention is directed to noise or other blur introduced by the alignment of two images into a 3D image. Additionally, there is no teaching or suggestion in Geshwind to select and apply a depth metamorphosis processor iteratively on the image.

Similarly, Latham is directed to a graphics processor for parallel processing of a plurality of fields of view for multiple video displays. Geometric processing of images concurrently occurs with pixel processing. Importantly, there is no teaching or suggestion in Latham to reduce crosstalk between the stereo aligned images.

Applicants respectfully submit that the amended claims are not rendered obvious by the teachings of Geshwind in combination with Latham. In particular, there is no teaching or suggestion in Geshwind or Latham for reducing crosstalk in stereoscopically aligned images. The test under §103 is whether the references, taken as a whole, would suggest the invention to one of ordinary skill in the art. Medtronics, Inc. v. Cardiac Pacemakers, Inc., 220 USPQ 97 (Fed. Cir. 1983). Additionally, the Examiner has not pointed to any motivational statements in any of the cited art for combinations thereof. When determining the patentability of a claimed invention which combines two known elements, the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination. WMS Gaming, Inc. v. International Game Technology, 184 F.3d 1339, 1355 (Fed. Cir. 1999). When prior-art references require a selective combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gleaned from the invention itself. Something in the prior art as a whole must suggest the

09/996,421


desirability and thus the obviousness, of making the combination. Uniroyal Inc. v. Rudkin-Wiley Corp., 5 USPQ2d 1434 (Fed. Cir. 1988).

For the foregoing reasons, Applicants believe that claims 1 and 2 are allowable over the cited reference.

## II. Conclusion

For the foregoing reasons, Applicants respectfully submit that claims 1-2 are now in condition for allowance. Early notice to that effect is earnestly solicited.

Respectfully submitted,

By:   
Bosco B. Kim  
Registration No. 41,896

Date: May 10, 2004  
REVEO, INC.  
85 Executive Boulevard  
Elmsford, New York 10523  
Telephone (914) 345-9555  
Facsimile: (914) 345-9558